

REMARKS

Rejection of the claims under 35 USC §112:

Claim 23 has been rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

Applicants have amended the claim as recommended by the examiner.

Rejection of the claims under 35 USC §103:

Claims 19, 22, 23, and 29-32 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff et al. (WO 00/03694). Applicants have amended the claims to obviate the rejection. Specifically, Applicants have amended the claims to recite “membrane active polyamine capable of causing liposome leakage”. Support for the amendment can be found in the specification on page 11 lines 20-27. With this response, Applicants have filed a declaration under 37 C.F.R. 1.132 showing that PEI, taught by Wolff et al., does not cause liposome leakage. Thus, Wolff et al. do not teach reversibly inhibition of a membrane active polyamine capable of causing liposome leakage. In view of the amendment, Applicants request reconsideration of the rejection.

Claims 27 and 28 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Wolff et al. (WO 00/03694) in view of Wolff et al. (WO 00/75164). Applicants have amended the claims as described above to obviate the rejection.

The Examiner's rejections are now believed to be overcome by this response to the Office Action. In view of Applicants' amendment and arguments, it is submitted that claims 19, 22, 23, and 27-32 should be allowable.

Respectfully submitted,

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I hereby certify that this correspondence is being transmitted to the USPTO on this date: 04/28/2008.

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